

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BLUE SPIKE, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC., et
al.,

Defendants.

§§§
CASE NO. 6:12-cv-499 LED
CONSOLIDATED from
Original No. 6:12-cv-646 LED

Jury Trial Demanded

**UNNOPOSED MOTION FOR LEAVE
TO SERVE JURISDICTIONAL DISCOVERY ON
DEFENDANTS TVTAK USA, INC. AND TVTAK LTD.**

Plaintiff Blue Spike, LLC (“Blue Spike”) respectfully moves the Court for leave to serve jurisdictional discovery on TVTAK USA, INC. AND TVTAK LTD. (“TvTak”) before the Rule 26(f) conference and prior to responding to TvTak’s MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION AND IMPROPER VENUE (Dkt. No. 356) (“Motion to Dismiss”). In support of its Motion, Blue Spike will show the following.

Plaintiff filed its Original Complaint for Patent Infringement against TvTak on September 15, 2012. On December 13, 2012, TvTak filed the Motion to Dismiss, alleging inter alia, that this Court lacked personal jurisdiction. Blue Spike’s Response to TvTak’s Motion to Dismiss was due December 31, 2012. Blue Spike has filed an unopposed motion for an extension of time to file its Response to TvTak’s Motion to Dismiss to February 15, 2013. Prior to responding, Blue Spike needs jurisdictional discovery. TvTak is unopposed to

this request. Accordingly, the plaintiffs request the Court to grant this motion and for any other relief to which they are justly entitled.

Dated: January 3, 2013

Respectfully submitted,

/s/ Christopher A. Honea
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Certificate of Service

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on January 3, 2013.

/s/ Christopher A. Honea

CERTIFICATE OF CONFERENCE

I certify that on behalf of Blue Spike, LLC., I have met and conferred with counsel for Defendants on December 28, 2012 regarding the relief requested herein. Counsel for Defendants has indicated that they are unopposed to leave being granted for serving jurisdictional discovery.

/s/ Christopher A. Honea